

Appln No. 09/882,351
Amdt date February 28, 2005
Reply to Office action of August 26, 2004

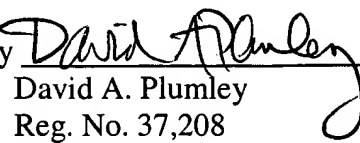
REMARKS/ARGUMENTS

In the Final rejection dated August 26, 2004, the examiner rejected all of pending claims 1, 2, 4, 7,-14 and 17-23 under 35 U.S.C. § 103(a) as allegedly obvious over Rourke, et al. (U.S. Patent No. 4,720,910) in view of Shackle (U.S. Patent No. 6,174,623). The examiner also rejected claims 1, 2, 7, 8-13 and 17-23 under 35 U.S.C. § 103(a) as allegedly obvious over Rourke in view of Amano, et al. (U.S. Patent No. 6,235,433). In the Advisory action dated January 12, 2005, the examiner acknowledges consideration of applicant's arguments distinguishing Rourke, Shackle and Amano, but maintains the rejections.

By this amendment, applicant has amended independent claims 1 and 14 to recite that the ionic conductive polymer is present in an amount ranging from about 0.1 to about 5 wt% based on the weight of the metal oxide, as described in the specification at page 5, lines 5-8. The presence of the second ionic conductive polymer in an amount within this range exhibits significantly improved cycle life characteristics and battery performance, as noted in the specification at page 7, lines 10-23. None of Shackle, Amano or Rourke teach or suggest this very specific weight range. Accordingly, independent claims 1 and 14, as amended, and all claims dependent therefrom, including claims 2, 7, 8-13 and 17-23 are allowable over Rourke, Shackle and Amano.

In light of the above remarks, applicant submits that all of pending claims 1, 2, 4, 7-14 and 17-23, as amended, are in condition for allowance. Applicant therefore, respectfully requests a timely indication of allowance. However, if there are any remaining issues that can best be addressed by telephone, the examiner is asked to contact applicant's attorney at the number below.

Respectfully submitted,
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